

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

LANCE REBERGER,	)	Case No.: 3:17-CV-00552-RCJ-CSD
	)	
Plaintiff,	)	ORDER ADOPTING AND ACCEPTING
	)	REPORT AND RECOMMENDATION OF
v.	)	UNITED STATES MAGISTRATE JUDGE
	)	(ECF NO. 147)
JAMES DZURENDA, <i>et al.</i> ,	)	
	)	
Defendants.	)	

Before the Court is the Report and Recommendation of United States Magistrate Judge Craig S. Denney, (ECF No. 147<sup>1</sup>) entered on October 21, 2022, recommending that the Court that Defendants Dr. Romero Aranas, Quentin Bryne, Barbara Cegavske, Dwayne Deal, James Dzurenda, Nancy Flores, William Gittere, Adam Paul Laxalt, Jennifer Nash and Brian Sandoval (collectively, NDOC Defendants) motion for summary judgment (ECF No. 120), be granted in part and denied in part.

This action was referred to Magistrate Judge Denny under 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

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<sup>1</sup> Refers to Court's docket number.

1 The Court has considered the pleadings and memoranda of the parties and other relevant  
2 matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.

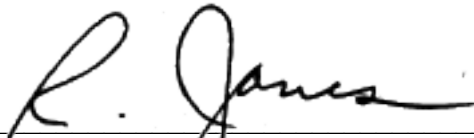
3 **IT IS HEREBY ORDERED** that Magistrate Judge Denney's Report and  
4 Recommendation (ECF No. 147) is **ADOPTED and ACCEPTED**.  
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6 **IT IS FURTHER ORDERED** that NDOC Defendants' motion for summary judgment  
7 (ECF No. 120), is **GRANTED IN PART AND DENIED IN PART**. The motion is GRANTED  
8 as to the Eighth Amendment conditions of confinement claim against Nash concerning the water  
9 within NDOC's facilities and as to the Eighth Amendment deliberate indifference to serious  
10 medical needs claim against Dzurenda and Dr. Aranas; however, the motion is DENIED as to the  
11 ADA and RA claims and as to the Eighth Amendment conditions of confinement claim related to  
12 his stay in administrative segregation for 13 years.  
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14 **IT IS FURTHER ORDERED** that the remaining claims proceeding in this action are  
15 referred to Magistrate Judge Denny to conduct a settlement conference.  
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17 **IT IS SO ORDERED.**  
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19 Dated: November 14, 2022.  
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22 ROBERT C. JONES  
23 United States District Judge  
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